

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL SALAZAR, Individually and on behalf of all
others similarly situated,

Plaintiff,

vs.

NATIONAL BASKETBALL ASSOCIATION,

Defendant.

Case No. 1:22-cv-07935-JLR

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Declaration of Hilary L. Preston, sworn to on December 2, 2022, and the exhibits attached thereto, and the accompanying Memorandum of Law in Support of this Motion, Defendant National Basketball Association, by its attorneys, Vinson & Elkins L.L.P., respectfully moves this Court, before the Honorable Jennifer L. Rochon, United States District Judge, United States District Court, Southern District of New York, at 500 Pearl Street, Courtroom 20B, City of New York, at a date and time to be set by the Court, for an order dismissing the Complaint with prejudice pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure for lack of standing, and/or pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure for Plaintiff's failure to state a claim upon which relief can be granted.

Dated: December 2, 2022

VINSON & ELKINS L.L.P.

By: /s/ Hilary L. Preston
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